The question in the principal case is a nice one; but it seems that the dissent is the better law. Does the charge "former variety actress" necessarily bring the plaintiff into hatred, ridicule, or contempt? Is damage so conclusively a result that the court can say as a matter of law that the imputation is of itself an injury? It is difficult to reconcile the holding of the majority with *Hemmens* v. *Nelson*, 138 N. Y. 518, where the publication "she entertained gentlemen company at all hours of the night" was held not actionable *per se*. The New York court might well have said in the present case that special damage was necessary, for the step taken in holding this charge libellous *per se* is one that a court can ill afford to take. It may tend to open the way to the frivolous libel suits to-day so serious a problem in England. The court cannot take notice of the various and ever-changing codes by which social position is gained and lost. The action is a protection of character, not of conceit.

CURIOSITIES OF REPORTING. — These citations, received from a Boston lawyer, show the prevailing errors, and the need of reform, in our present reporting system: —

"The following head-note appears in *Stone* v. *United States*, 167 U. S. 178: —

"'The ruling of the court about the challenges are without merit.'

"From an examination of the case we infer that the reporter meant to say: 'The *objection* to the ruling of the court about challenges *is* without merit.' But when these verbal infelicities are corrected, the head-note still fails to show what the ruling was, except that it was 'about challenges.' The mystery is intensified when we find the note repeated in the index under the title 'Evidence.'

"The following head-note has a fine Hibernian flavor: —

"'A consignee of goods sent C. O. D. cannot maintain replevin against the carrier before payment and *delivery*.' *Lane* v. *Chadwick*, 146 Mass. 68.

"The implication is that if a man would bring replevin he must first get possession of his goods."

GREAT AMERICAN JUDGES. — UNITED STATES SUPREME COURT. — John Marshall was a tall, gaunt man with black hair, whose piercing black eyes seemed almost at variance with the expression of his face, brimful of simple and trusting kindness which touched the hearts even of political enemies. Chief Justice Marshall is believed by many to have been the greatest man who has sat upon the bench of the Supreme Court of the United States; but his greatness as a judge would hardly have been suspected by one who could have seen him, an old man among young men, throwing quoits at his home in Virginia. Harriet Martineau compared his disposition to that of "Uncle Toby." By nature modest, retiring, and a little uncouth, his bearing on the bench had nevertheless a certain indefinable dignity. His speech was simple, halting at first and measured, but gaining vigor as the argument progressed, enforcing conviction upon his hearers by the keenness of his logic, which cut aside irrelevant matters and lay open in its true bearings the single point at issue. His opinions were terse and cogent, written in a vehement style well chosen to present